

**FILED**

JAN 07 2010

**RESOLUTION 4, 2010**

**APPROVING AN AMENDING DECLARATORY RESOLUTION  
AND ECONOMIC DEVELOPMENT PLAN OF THE  
REDEVELOPMENT COMMISSION OF THE  
CITY OF TERRE HAUTE, INDIANA, AND APPROVING  
AN ORDER OF THE VIGO COUNTY AREA PLANNING COMMISSION**

**CITY CLERK**

WHEREAS, the Terre Haute ("City") Redevelopment Commission ("Commission") has, on the 15<sup>th</sup> day of February, 2006, adopted a declaratory resolution ("Declaratory Resolution") initially approving the economic development area known as the "S.R. 46 Economic Development Area" ("Area") as an economic development area subject to economic development activities pursuant to IC 36-7-14 and IC 36-7-25 and all acts supplemental and amendatory thereto ("Act"); and

WHEREAS, the Declaratory Resolution approved the Economic Development Plan ("Original Plan") for the Area which Original Plan contained specific recommendations for economic development in the Area;

WHEREAS, the Declaratory Resolution established an allocation area in accordance with IC 36-7-14-39 with boundaries coterminous with the Area ("Allocation Area") for the purpose of capturing property taxes generated from the incremental assessed value of real property located in the Original Allocation Area;

WHEREAS, the Commission submitted the Declaratory Resolution and supporting data to the Vigo County Area Plan Commission ("Plan Commission") and the Plan Commission issued its written order approving the Declaratory Resolution and the Original Plan;

WHEREAS, the Common Council of the City ("Common Council") adopted a resolution approving the order of the Plan Commission;

WHEREAS, the Commission on April 26, 2006, conducted a public hearing at which the Commission heard all persons interested in the proceedings and considered all written remonstrances and objections that were filed, and after the conclusion of the public hearing adopted a resolution ratifying and confirming the Declaratory Resolution ("Confirmatory Resolution");

WHEREAS, the Common Council adopted a resolution approving the establishment of the Area;

WHEREAS, on December 16, 2009, the Commission adopted its amending Declaratory Resolution ("Amending Declaratory Resolution"), for the purpose of revising the 15 year limit on the allocation provision and amending the Original Plan to add the acquisition of Road Base (as defined in the Amending Declaratory Resolution attached hereto and incorporated herein) ("Amended Plan"); and

WHEREAS, the Vigo County Area Plan Commission ("Plan Commission"), on the 6<sup>th</sup> day of January, 2010, approved the Amended Plan and Amending Declaratory Resolution; and

WHEREAS the Act requires approval of the Amending Declaratory Resolution, the Amended Plan and the action of the Plan Commission by the Common Council of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF TERRE HAUTE, INDIANA, AS FOLLOWS:

1. That the Amended Plan for the Area is in all respects approved, ratified and confirmed.

2. That the action of the Plan Commission approving the Amended Plan and the Amending Declaratory Resolution are in all respects approved, ratified and confirmed.

3. That the Clerk is hereby directed to file a copy of the Amending Declaratory Resolution, the Amended Plan and the approving Order of the Plan Commission with the permanent minutes of this meeting.

4. This resolution shall be effective from and after passage by the Common Council and approval by the Mayor.

Presented by Council Member, \_\_\_\_\_  
Don Morris, Councilperson

Passed in open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Neil Garrison, President

ATTEST:

\_\_\_\_\_  
Charles P. Hanley, City Clerk

Presented to me the Mayor of the City of Terre Haute, this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Charles P. Hanley, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this \_\_\_\_\_ day of \_\_\_\_\_,  
2010.

\_\_\_\_\_  
Duke A. Bennett, Mayor

ATTEST:

\_\_\_\_\_  
Charles P. Hanley, City Clerk